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LETTER DATED 27 APRIL 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith, for your information, a communication dated 20 April 1999 from the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE) (see annex I). The enclosed report, which deals with the situation in Kosovo, is submitted pursuant to Security Council resolutions 1160 (1998) of 31 March 1998 and 1203 (1998) of 24 October 1998, and in compliance with the Council's wish to be kept informed of the situation in Kosovo (see annex II).

I should appreciate your bringing this communication to the attention of the members of the Council.

(Signed) Kofi A. ANNAN

99-12239 (E) 290499 290499

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Annex I

[Original: English]

Letter dated 21 April 1999 from the Deputy Permanent Representative of Norway to the United Nations addressed to the Secretary-General

I hereby have the honour to forward the OSCE monthly report on the situation in Kosovo pursuant to the requirements set out in United Nations Security Council resolutions 1160 (1998) and 1203 (1998).

(Signed) Svein AASS
Ambassador
Deputy Permanent Representative

Annex II

Letter dated 20 April 1999 from the Chairman-in-Office of the Organization for Security and Cooperation in Europe addressed to the Secretary-General

Reference is made to my letter of 16 February 1999 concerning the contributions of the Organization for Security and Cooperation in Europe (OSCE) to the reporting on the situation in Kosovo pursuant to the requirements set out in United Nations Security Council resolutions 1160 (1998) and 1203 (1998).

I hereby enclose the report covering the period from mid-March to mid-April 1999 on the situation in Kosovo, and on the activities of OSCE. Please note that, since the temporary withdrawal of the OSCE Kosovo Verification Mission, verification of cooperation and compliance inside Kosovo has not been possible. Hence, the report does not include a separate chapter on those issues.

(Signed) Knut VOLLEBAEK

Enclosure

Monthly report on the situation in Kosovo, pursuant to the requirements set out in United Nations Security Council resolutions 1160 (1998) and 1203 (1998)

Mid-March 1999 - mid-April 1999

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1.General Situation

Following thorough consultations and security considerations the OSCE Chairman-in-Office, Foreign Minister Knut Vollebaek of Norway decided to temporarily withdraw the OSCE KVM from Kosovo. The security environment in Kosovo had noticeably deteriorated in the three weeks prior to this decision. The level of FRY security force activity had increased both in terms of the type and tempo of operations conducted; there had been a concomitant increase in Kosovo Liberation Army (KLA) activity. The number of security incidents involving OSCE personnel had risen. There had been a steady erosion of KVM's ability to fulfil its mandated tasks and the Mission was witness to the Yugoslav authorities achieving their aims both forcibly and incrementally. Even whilst the peace talks were underway in Paris, an offensive appeared to be underway by the Serbian security forces in the area of the Cicavica mountain range.

Security Situation

Immediately following the Mission's withdrawal the tempo of the Serbian security forces offensive began to quicken, especially in the Drenica (around Srbica), Shala (Mitrovica and Podujevo) and Pastrik (Malisevo) regions of the Province. UNHCR reported that over 25,000 people had been displaced due to the fighting. Following the refusal of the FRY to sign the draft peace agreement for Kosovo, NATO on 24th March started its air campaign against the FRY and the Yugoslav Government declared a state of war. The main targets for NATO were military installations and communications facilities. Government buildings, i.e. both the Federal and the Serb ministries of interior, were also destroyed. By 16th April the FRY Government claimed that a thousand people had died and that four thousand had been wounded in NATO air-strikes. A spokesman for the Foreign Ministry said that material damages were in the range of 10 billion dollars. Meanwhile, Serbian security force operations aimed at closing with and destroying the KLA were underway across the whole of Kosovo.

The Chairman of the Temporary Executive Council of Kosovo, Zoran Andjelkovic, was reported to have declared on 5th April that the KLA had been destroyed, with Serbian security forces now in control of the whole Province. However, towards the end of the reporting period, KLA sources claimed that they were beginning to operate from within the Kosovo towns of Pec and Djakovica in the Western part of the Province. There were further claims that they were operating in other areas where they were not believed to have operated before, such as east of Pristina. The same sources alleged that, with the exodus of significant numbers of the Kosovo Albanian civilian population from Kosovo, the KLA's responsibility towards protecting the remainder was significantly lessened and they claimed to be switching their tactics to deploying smaller, more mobile units within the Province. Nevertheless, the KLA further alleged that there were significant numbers of IDPs still in Kosovo, perhaps between 360.000 to 400.000. Towards the end of the reporting period the most significant fighting appeared to be taking place in the western areas of Kosovo, in particular in the vicinity of Junik, close to the border with Albania. This may explain an event, confirmed by the OCSE Presence in Albania, in which FRY soldiers crossed the border and attacked the Albanian border village of Kamenica on 13th April. Yugoslav Foreign Minister Zivadin Jovanovic on 18th April stated that FRY had officially suspended its diplomatic ties with Albania. He accused Albania of organising terrorist incursions into Yugoslavia from its territory and attacking the FRY.

Political Situation

The FRY Government suspended diplomatic relations with the United States, Great Britain, Germany, and France on 25th March. A number of Western countries closed their embassies in

Belgrade. The Serbian Information Minister issued an order that all journalists of "foreign media" whose countries were taking part in the NATO attacks were expelled. However, a few foreign journalists were allowed to stay in Belgrade. The International Committee of the Red Cross (ICRC) withdrew all of their international personnel from Kosovo on 29th March. The last NGO operating in the Province, MSF, was subsequently withdrawn.

FRY Assistant Foreign Minister Nebojsa Vujovic was quoted as saying that the FRY could accept only talks on a civilian presence in Kosovo, and then only from countries that had not taken part in the NATO attacks. The Minister stated "FRY does not want missions like the recent verification mission of the OSCE or the alleged mission which NATO is trying to impose. The OSCE was just an instrument of NATO and a cover for later aggression".

Reports from Belgrade showed no sign that the Federal and Republican budgets were in crisis. However the Federal and Republican authorities may soon face the problem of financing priority expenses such as the army and the police. In addition, there are approximately two million pensioners as well as those employed in education and health that require payment. This suggests that the state may have to print money, thus fuelling inflation. Towards the end of the reporting period one German mark sold for 12 dinars on the black market. The official exchange rate is six dinars to a German mark.

Serbian resistance has showed no sign of weakening. Street-lights were turned off during the first days of air attacks. The street lights in the majority of Serbian towns now stay on, and local centres for information have declared that there is no need for blackouts. Several thousand people gathered on 28th March for a rock concert in a central Belgrade square to protest against the NATO strikes. Since then concerts have continued daily in other Serbian towns. In addition, human chains were formed on bridges to prevent NATO attacks. Observers say that Belgrade authorities were daring NATO to strike civilians in the confidence that NATO would not do so. Press reports indicated that the local population is increasingly angry with NATO and the US, including people who had earlier held negative views concerning the FRY President Slobodan Milosevic. In a joint session of both FRY parliamentary chambers on Monday 12 April, representatives voted overwhelmingly in favour of a proposal for the FRY to join the Russian-Belarussian Alliance. Leading Serbian politicians stated that the decision was "one of the ways of standing up to NATO aggression". There were no immediate Serb comments concerning press reports that Russia and Belarus officials do not see any possibility of FRY joining the Alliance whilst armed conflict continues. The governing Montenegrin Democratic Party of Socialists (DPS) did not attend the parliament session and stated that the session was "illegitimate".

The Montenegrin authorities distanced themselves from a number of important decisions taken by Belgrade. Nevertheless, Montenegrin President Milo Djukanovic on 8 April was quoted by the press as rejecting claims that President Milosevic is preparing a coup in Montenegro. "Political differences exist, but until now we have managed to create a balance of different political groups", Djukanovic said. According to the reports, he called the NATO action a "big mistake" and called on NATO to cease bombing.

The political director of the KLA and the leader of the Albanian delegation to Rambouillet, Hasim Thaci, revealed on 7th April the composition of the transitional Kosovo "Government". Thaci himself is to be the Prime Minister and Foreign Minister, whilst other representatives include members of the United Democratic Front (LBD) led by Rexhep Qosja. The Democratic League of Kosovo (LDK), led by Ibrahim Rugova, has yet to name its representative, Thaci stated. Serbian

television showed pictures of Rugova allegedly having meeting with Presidents Milosevic and Milan Milutinovic of Serbia. The FRY authorities claimed that Rugova had remained voluntarily in Kosovo and that he was under the "protection" of Serb police. Together with Rugova, the FRY authorities said that they were attempting to find a political solution to for Kosovo.

Humanitarian Situation

The expulsion of vast numbers of Kosovo Albanian refugees from Kosovo was the most striking feature of the reporting period. Many thousands sought refuge in neighbouring countries with Albania bearing the heaviest weight of numbers. On 4th April, UNHCR estimated that 204,000 refugees had fled Kosovo for Albania, 33,000 refugees had fled to Montenegro and 121,000 had sought refuge in Macedonian territory. By the 17th April, the figures had increased: an estimated 340,000 refugees had fled to Albania, 70,000 to Montenegro and 135,000 to the former Yugoslav Republic of Macedonia.

This exodus continues and shows no sign of abating. On 18th April, KLA sources alleged that a 25km long column of IDPs between Podujevo and Pristina was moving South to Yugoslavia's border. These IDPs had fled to the hills around the area of Podujevo and were reportedly undernourished. Their expulsion came on a day that the Serbian security forces allegedly made special efforts to take advantage of an apparent lull in the NATO offensive to close with the KLA, forcing the civilian population to flee. KLA sources maintain that between 360,000 to 400,000 IDPs remain in Kosovo.

Human Rights Issues

The Human Rights Division has been monitoring and documenting humanitarian law violations committed against the civilian population of Kosovo since shortly after the withdrawal of OSCE international staff on 20 March 1999. The Human Rights Division has been collecting statements from refugees located throughout the former Yugoslav Republic of Macedonia, from those in camps as well as those housed in local communities.

A range of violations of humanitarian law relating to the protection of victims of non-international armed conflict, as expressed in the four Geneva Conventions and Protocol II, were reported. The statements collected offer a picture of killings, executions, physical abuse, rape, forced displacement, destruction of civilian property and looting, involving individuals and groups of people including the populations of entire villages.

Many people reported violations of humanitarian law committed by paramilitary groups and bands of armed civilians, often referred to as "Arkan's men", "Seselj's men" or simply "paramilitaries". It should be noted that in certain cases interviewees were able to give rather precise descriptions of the uniforms and insignia worn by these groups. In other cases, it was obviously difficult to distinguish paramilitary groups from bands of armed civilians.

The statements paint a picture of lawlessness and absence of any form of protection for ethnic Albanians. Military attacks by the VJ target both civilians and their property, and are most often followed by MUP operations, and raids carried out by paramilitaries and armed civilians. Only in a few cases did reports suggest that individual police officers offered protection. Reports suggest that the absence of representatives of the international community in Kosovo has provided an opportunity for the perpetrators of such crimes to increase the frequency and intensity of violent acts.

Kosovo Conflict Spillover Potential

The OSCE Presence in Albania, the OSCE Spillover Mission to Skopje and the OSCE Missions to Bosnia and Herzegovina and to Croatia continued to follow closely the Kosovo conflict spillover potential.

The crisis in and around Kosovo has dominated life in Albania over the reporting period, as the collapse of the peace process was followed by NATO air strikes and then by the unprecedented mass expulsion of Kosovo Albanians into northern Albania.

Since 27 March, when the first trickle of refugees began crossing from Kosovo, attention has inevitably shifted to the humanitarian dimension of the crisis and the inability of Albania's already weak economy and infrastructure to cope. Apart from the immediate effect on the economy and country of having to assimilate such large numbers, the long term effects of having a large refugee population could prove politically destabilising, as well as adding to the potential for illegal emigration.

Both Government and Opposition in Albania have been unusually united in their approach to the refugee crisis, thanking Western Governments for their readiness to provide temporary shelter as a response to the immediate humanitarian crisis but appealing for those remaining to be looked after in the area so as not to contribute further to the 'ethnic cleansing' of Kosovo. In a statement on 5 April the Minister of Information said that the Government of Albania would not permit the evacuation of Kosovo Albanians from Albania to other European countries. The Opposition Democrats similarly stressed the need for the refugees to be helped in Albania, so that they can remain 'within their ethnic lands', while the conditions are being created for their early return. Nonetheless, after the continued influx of refugees the Albanian authorities agreed to some limited resettlement in well disposed neighbouring countries.

On 23/24 March, the Albanian Government and Parliament met in a series of all- night sessions to agree measures to protect the country and its borders. Following the first air strikes, the Government welcomed NATO's action as a turning point in Albania's history. The Albanian Parliament met on 8 April 1999 to formally approve the stationing of foreign troops on Albanian territory. President Meidani stated that Albania regarded the presence of NATO troops as consistent with its obligations as a member of the Partnership for Peace and essential for the stability of Albania and the region. Albanian political parties unanimously reacted in very similar terms.

In the former Yugoslav Republic of Macedonia the crisis in the region has put enormous burdens on the country, raising public anxiety, straining inter-ethnic relations and relations within the Government and with the international community, and greatly increasing the risk of destabilisation. The key determinant of stability remains how the majority Macedonian reaction interacts with that of the ethnic Albanian community.

Fearing a backlash from majority public opinion, and dangerous destabilising consequences from the longer term presence of refugees disturbing the delicate ethnic balance, the Macedonian Government insisted that it could only receive refugees on a continuing basis in numbers which do not threaten destabilisation, and thus sought guarantees from the international community that they will accommodate refugees out of the country. The long established perceived threshold of 20.000 refugees assessed by the Government and its predecessor as the maximum that could be absorbed without risking destabilisation, has been overwhelmingly breached. This, and

international criticism over the handling of refugees, particularly in Blace, have added to the immense pressure on a Government which is still only a few months old. Still, the partners in the governing coalition have tried to balance the Government line, amidst opposing expectations in the majority population and amongst ethnic Albanians, and have thus far successfully prevented a breakdown. The difficulties in cohabitation between the Government and the President have been eased as both appear to be at one on the handling of the crisis.

Demonstrations against NATO were held in the north, west, centre and south of the country after the start of NATO bombing. With the exception of a rally in Kumanovo and the violent demonstrations of 26 March, all demonstrations were conducted peacefully. These rallies were organised not only in areas with a higher quota of ethnic Serbs in the population, but also in nearly pure ethnic Macedonian regions, which depend economically on trade with Yugoslavia. The DPA leadership has prevented the ethnic Albanian population from organising pro-NATO demonstrations, thus acting as an important restraining influence.

Relations with Albania have been strained as a result of refugee pressures and their handling. The Albanian Government expressed strong criticism of the Macedonian Government's treatment of refugees and especially those trying to enter at Blace saying it would traumatise relations between the two countries. Similar criticism was voiced by the Albanian President and political parties at President Gligorov's statement that Albania, the refugees' mother country, is their natural destination.

Immediately prior to initiation of the bombing campaign, the OSCE Mission in Bosnia and Herzegovina withdrew mission staff from all offices in the Republika Srpska (RS). The Mission has thus far not been targeted and suffered no major loss, and by mid-April the security situation had improved sufficient for the Mission to resume daytime operations in all but three of its field offices in the RS.

Although the majority of refugees from Kosovo and the FRY has been born by other regional governments, an estimated 13,000 Kosovars and 16,000 Sandzakis have arrived in Bosnia and Herzegovina since 24th March. UNHCR say an additional 2,500 Serb refugees have arrived in the RS during the same period, but many more may be coming if hostilities break out in Montenegro. UNHCR reports that the local and national authorities of Bosnia and Herzegovina have so far been helpful and accommodating. However, long term sheltering of these refugees will impact negatively on the International Community's planned 1999 push for minority return in Bosnia and Herzegovina.

The crisis has also destabilised somewhat the RS political situation and has had a deleterious effect on political interaction between its leadership and the international community. Radical Serb political elements, often exploiting biased media, seem determined to take advantage of the situation to undermine the Dayton principles. However, the majority of RS politicians have reacted responsibly, and by mid-April there was some movement towards normalisation – street demonstrations had virtually stopped, dialogue was resuming, and some moderate Serb leaders had resumed minimal participation in Bosnia and Herzegovina Joint Institutions. The situation though remains very fragile.

In Croatia, the direct impact of NATO actions over the Federal Republic of Yugoslavia remains limited. Border crossings with FRY over the Danube have been closed to traffic and movement is reported to be very low. The security situation in the Danube Region is reported as relatively

stable. While dissatisfaction with NATO actions is high among the Serb community in the Danube Region, the situation remains calm. The leader of the main Serb party in the Region stated that Serbs in the Region must avoid giving radicals among the authorities any excuse to deploy the Croatian Army in the area.

The Government's response to the NATO strikes against the FRY has been measured and carefully in line with NATO pronouncements. Senior Croatian officials have expressed strong hopes that Croatia's international standing will rise as a result of the NATO actions. Following a meeting with Madeleine Albright in Washington on 31 March, Foreign Minister Mate Granic expressed the hope that Croatia's integration into international structures, notably Partnership for Peace and the World Trade Organisation, may be accelerated.

2. OSCE Activities

Activities of the Chairman-In-Office and the Permanent Council

Ambassador William Walker, KVM HOM, briefed the Informal Ad Hoc Meeting on March 24 about the withdrawal of KVM from Kosovo, and the Permanent Council on March 25. NATO air strikes began on March 24. He spoke of the deteriorating security environment and the "momentous decision" required to withdraw the Mission. He was congratulated on the professional manner in which the Mission was withdrawn.

The CiO briefed a reinforced meeting of the Permanent Council on 26 March in which he directed that the Mission should be reduced in size to approximately 250 personnel. This was initiated on 29 March and completed by 1 April. At a Permanent Council meeting on 1 April it was felt appropriate, given the size of the refugee influx, that KVM's assets were used to support UNHCR in Albania and in the former Yugoslav Republic of Macedonia; approximately 70 specialists were sent from Vienna in order to complement Mission assets in place in Macedonian territory.

The Chairman-in-Office conducted a visit to Albania and the former Yugoslav Republic of Macedonia on 6-7 April to assess how the OSCE best can assist further with regard to the influx of refugees from Kosovo in these countries. The C-i-O met with Heads of Governments in the two countries in addition to chairing meetings of representatives of humanitarian and other international organisations engaged in refugee relief with a view to improving the speed and effectiveness of the collective support. In Skopje he urged the Government to set up a 24 hours crisis co-ordination centre, with participation by all relevant actors, national and international. Such a centre has already been established in Tirana.

At an Informal Ad Hoc Meeting on 13 April the Chair briefed Delegations about the planning process for a new OSCE Mission in Kosovo. A concept paper was distributed to all Delegations at a meeting of the Permanent Council on 15 April.

KVM Operations

In addition to the tasks set for the "Core Mission" of the KVM, which include the planning and preparation for re-deployment of an OSCE Mission to Kosovo, the Mission has also substantially assisted UNHCR with the significant influx of Kosovo Albanian refugees into Albania and the former Yugoslav Republic of Macedonia.

The 152 personnel of the KVM Macedonian Task Force have devoted substantial effort and resources to supporting UNHCR in the agency's role as lead manager of the Stenkovac Refugee complex, which is comprised of two separate refugee camps. The Task Force also helps to staff, on a 24 hour basis, the UNHCR Co-Ordinating Centre at the UNHCR HQ building in Skopje; they are also engaged in assisting at Skopje airport in the reception of humanitarian assistance and continue to register refugees including those departing to third countries by air; and additinal Task Force personnel are employed in monitoring the three FRY Kosovo/Macedonian border-crossing points for any new influx of refugees. Further work is being carried out by teams of human rights specialists tasked with monitoring the abuses alleged to have taken place in Kosovo.

The 77 staff in KVM's Albanian Task Force, sent to assist UNHCR withits humanitarian support to refugees, and working in close co-ordination with the OSCE Presence in Albania, organised itself into three groups, North, Central and South, with a headquarters and operations room in Tirana. Teams were deployed to all the 12 Prefectures of Albania as well as to the airport and to the sea port authorities in Durres. Two liaison officers were also seconded to the Albanian Government's Crisis Management Committee. In essence, the KVM Albanian Task Force are tasked with registering refugees, alerting specialist agencies to their needs and concerns and the gathering and reporting of additional information. It also provides logistic and administrative support to UNHCR.

KVM Operational Status

Following the withdrawal from Kosovo, the KVM repatriated 1108 international verifiers between 29th March and 1st April. The Mission strength subsequently stood at 251. During the process of downsizing the Mission, it became evident that some resources would need to be diverted from core tasks to meet the emerging humanitarian crisis created by the exodus of Kosovo Albanian refugees to Albania and to the former Yugoslav Republic of Macedonia. This prompted the establishment of two OSCE KVM taskforces, one in Albania and the other in the former Yugoslav Republic of Macedonia, tasked to provide assistance to UNHCR and to other international organisations and local authorities. In addition to those resources found within the core, two further augmentations of Mission personnel were required to meet these new challenges. Firstly to support the taskforce to Albania and secondly, approximately a week later, to support the taskforce to the former Yugoslav Republic of Macedonia. The most recent augmentation of a further 34 personnel brings the current strength of the OSCE KVM to 343, with 77 employed in Albania, 152 on humanitarian tasks in the former Yugoslav Republic of Macedonia and 114 supporting the core function of the Mission.